

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SUSAN E. BREDTHAUER,)	
)	
Plaintiff,)	4:10CV3132
)	
vs.)	ORDER
)	
GILBERT G. LUNDSTROM, et al.,)	
)	
Defendants,)	
)	
and)	
)	
RONALD A. LAIRD,)	
)	
Plaintiff,)	4:10CV3139
)	
vs.)	ORDER
)	
GILBERT G. LUNDSTROM, et al.,)	
)	
Defendants,)	
)	
and)	
)	
SUSAN BARKER,)	
)	
Plaintiff,)	8:10CV326
)	
vs.)	ORDER
)	
SAMUEL P. BAIRD, et al.,)	
)	
Defendants.)	

This matter is before the court on the court's September 13, 2010, order requiring the parties to show cause why ***Susan Barker v. Samuel P. Baird, et al.***, 8:10CV326, should not be consolidated with ***Susan E. Bredthauer v. Gilbert G. Lundstrom, et al.***, 4:10CV3132, and ***Ronald A. Laird v. Gilbert G. Lundstrom, et al.***, 4:10CV3139. On September 27, 2010, Susan Barker filed a response stating she had no objection to consolidation. No other party responded to the order. The court has reviewed the filings in these cases and it appears the cases may be consolidated, pursuant to [Fed. R. Civ. P.](#)

[42\(a\)](#), as the cases arise out of the same set of facts and are subject to the same legal standards. See [EEOC v. HBE Corp.](#), 135 F.3d 543, 551 (8th Cir. 1998). Upon consideration,

IT IS ORDERED: The provisions of the court's September 2, 2010, order remain in effect and, in addition to those provisions, the following shall apply.

1. ***Susan Barker v. Samuel P. Baird, et al.***, 8:10CV326, is hereby consolidated for all purposes with ***Susan E. Bredthauer v. Gilbert G. Lundstrom, et al.***, 4:10CV3132, and ***Ronald A. Laird v. Gilbert G. Lundstrom, et al.***, 4:10CV3139.

2. Counsel shall conduct discovery as if these consolidated cases are part of a single case. All future filings shall contain the consolidated case caption, which appears on this order, and shall be served on counsel in the three cases as described below.

3. Case No. 4:10CV3132 was previously designated as the "Lead Case." Case No. 8:10CV326 is hereby designated as the "Member Case" with Case No. 4:10CV3139.

4. The court's CM/ECF System has the capacity for "spreading" text among the consolidated cases. If properly docketed, the documents filed in the Lead Case will automatically be filed in all Member Cases. To this end, the parties are instructed to file all further documents (except those described in paragraph 5) in the Lead Case, No. 4:10CV3132, and to select the option "yes" in response to the System's question whether to spread the text.

5. Unless otherwise ordered, the parties may not use the spread text feature to file complaints, amended complaints, and answers; to pay filing fees electronically using pay.gov; or to file items related to service of process.

6. If a party believes that an item in addition to those described in paragraph 5 should not be filed in all the consolidated cases, the party must move for permission to file the item in one or more member cases. The motion must be filed in all the consolidated cases using the spread text feature.

DATED this 28th day of September, 2010.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge